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## Poland's American Offensive

Poland has signalled its desire to normalize diplomatic relations with the US by releasing the majority of political prisoners, including all of the best-known Solidarity activists. Warsaw wants normal ties for reasons of prestige and because it recognizes there is no escape from its economic morass without Western help. [redacted]

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The Poles, however, have thus far not gone beyond old and familiar formulas to satisfy Washington's long-standing conditions that include the release of political prisoners and the opening of a dialogue with people genuinely representing the views of Polish society. The latest amnesty has not included all political prisoners, and rumors of a major show trial of dissidents continue. The regime has intensified talk of creating an "independent" consultative body, but shows little inclination to include important regime critics. [redacted]

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While repeating its largely accurate contention that Poland is more diverse than other East European countries and insisting that more conciliatory gestures are in the works, the regime has also tried to play on the concerns of Polish-Americans to get them to lobby Washington. We believe that, if pressed, Jaruzelski is likely to make further conciliatory gestures to the US such as approving new Church projects or accepting a new US Ambassador. But we doubt that he will

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go much beyond that in deference to Soviet and domestic concerns. If the US normalizes relations with Poland, we believe Jaruzelski will leave key dissidents alone, implement his consultative body, and approve another Papal visit in the name of national dialogue. If the US does not normalize ties, we would anticipate a show trial of dissidents and a concerted anti-US campaign from Warsaw. [REDACTED]

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Poland has repeatedly signalled over the past six months that it is willing to normalize relations with the United States. Most recently it released the majority of the political prisoners. The Poles have also cited as evidence of their serious intentions acceptance of a visit by Ambassador Walter Stoessel in March 1986; General Wojciech Jaruzelski's two-hour meeting with a Polish-American family in July; and the reception of Congressman Stephen Solarz this month. Warsaw has also quietly dropped from public statements on US-Polish bilateral relations its conditions set in November 1983 for normalized ties: the US must drop its political and economic sanctions, halt interference in Poland's internal affairs, end the "propaganda aggression" (presumably by censoring the Polish-language broadcasts on Voice of America and Radio Free Europe), and compensate Poland for losses due to sanctions to the tune of \$15 billion. [REDACTED]

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#### Why Improve Relations with the US?

Warsaw's continued depressed economic situation makes improved ties with the US a matter of high priority. We believe Poland's recovery from its economic crisis of the early 1980s has stalled and prospects for improvement over the rest of the decade are slim. Our analysis indicates that economic growth will remain slow even if the Soviets maintain current levels of economic support.\* Moreover, the Soviets would like to cut back on aid to Poland; their trade deficit with Poland last year reached nearly one billion rubles. To sustain economic recovery, we believe the regime must, among other things, make more consumer goods available to the populace as an incentive to work hard and restore creditworthiness by improving hard currency export performance. [REDACTED]

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To help meet its economic goals, Warsaw would like an end to the remaining US economic sanctions imposed after martial law (the termination of Most Favored Nation trade status, Export-Import Bank credit insurance on sales to Poland, and US Government credits for agricultural commodities). Warsaw undoubtedly hopes an end to US sanctions will eventually lead to more normal trade and credit links with the US. The Poles most likely do not expect Washington to resume past lending levels upon resumption of normal relations, and Poland's financial squeeze will prevent a quick rebound in US exports to Poland. In 1981, the peak year for US-Polish trade, the United States accounted for nearly 10 percent of Polish trade with non-Socialist countries compared with about 4 percent in 1985. The US also was one of Poland's most important Western government creditors, trailing only West Germany in guaranteed lending to Poland. Food products and other agricultural commodities, financed with US commodity credits, made up the bulk of Polish imports from the US prior to the imposition of sanctions. Poland is unlikely to reap immediate benefits from the restoration of MFN because some Polish products have lost markets in the US while poor quality makes many products uncompetitive here. Warsaw may believe that the most immediate economic gains will be indirect and will provide the catalyst for improved economic relations with West European governments and commercial lenders, as well as a way to gain more favorable IMF consideration of Polish loan requests. [ ]

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The Polish regime apparently also wants improved ties for reasons of prestige. Poland has traditionally enjoyed good relations with the US in part because of the large number of Poles who emigrated to the US at the turn of the century, Poland's traditional Western orientation, relatively liberal travel and cultural policies, a strong Roman Catholic Church, and its large private economic sector. [ ]

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[ ] the Jaruzelski government believes that Poland's current "small place" in US policy does not satisfy the Polish perception of what is right, particularly in the perspective of the East-West relationship. In particular, Jaruzelski probably would like to assume the role of "honest broker" between East and West played by former Polish party chief Edward Gierak in the 1970's. [ ]

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Jaruzelski probably wants to restore normal diplomatic relations with the US to buttress his efforts to convince the populace that the "crisis" (read, Solidarity) period is over and that everyone should settle down to building a more prosperous Poland. This theme of "normalization" was a keynote of the June party congress and partly explains Warsaw's decision to go ahead with a fourth amnesty of political prisoners. In the field of

foreign relations, Warsaw has consistently worked for normal diplomatic relations beginning right after the imposition of martial law with the Third World and then turning to the Western Allies. The US remains the single most important holdout. [ ]

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#### Meeting the US Conditions

The Jaruzelski regime has taken a series of steps that appear partly aimed at fostering the impression it is meeting US conditions for normalizing relations. Warsaw insists that its release of the political prisoners and steps toward opening a dialogue with society are aimed at achieving genuine national reconciliation--something Jaruzelski can presumably afford to do because of his increased political strength in the wake of the party congress and the country's generally stable internal security situation. [ ]

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Political Prisoner Release. Warsaw has freed 244 political prisoners since July 22, according to the US Embassy. The Church, however, claims the regime was holding about 300 dissidents. The amnesty includes all of the most famous activists including Wladyslaw Frasyniuk, leader of the Confederation for an Independent Poland, Leszek Moczulski, and the regime's prize catch, Solidarity underground chief, Zbigniew Bujak. The authorities have not released a "small group"--apparently about 56, based on the Church's count--convicted of espionage, economic sabotage, and terrorism. This group presumably includes Father Sylwester Zych, a priest implicated in the murder of a policeman during martial law whose freedom the Church has been trying to obtain, and the four secret policemen who murdered Father Popieluszko. [ ]

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The announcement of the release was preceded by a roundup by the police of about 3,000 Solidarity activists. The authorities, according to an interview with Interior Minister Kiszczak, informed the activists before releasing them that their underground organizations were disbanded and, according to the Western press, made them sign pledges disavowing future anti-state activities. Earlier, the government's press spokesman denied persistent rumors in Warsaw that there would be a major trial of political offenders in the near future. [ ]

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Dialogue with Society. A Polish official recently told US diplomats that establishing a dialogue with the people is an "acute" problem, but pointed to continuing Church-state talks, an "activist" parliament and trade unions, and the country's relatively liberal passport policy as evidence of Warsaw's good intentions. Government officials have spoken in general terms of

appointing a government human rights ombudsman. Jaruzelski is apparently also prepared to permit mainly Church-backed opposition figures to play an advisory role in his government by allowing them to join a planned Social Consultative Council to the Council of State. Lech Walesa confirmed to US Embassy officers that serious but indirect talks between the opposition and the government, with the Church as mediator, are currently taking place. Although several reputable Catholic laymen are reportedly ready to participate in the council, a senior Churchman recently told the US Embassy that no prominent layman had yet officially agreed to participate. Talks on the council between former Labor Minister Ciosek and Church activists, according to the same source, are still at the unofficial stage.

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Warsaw also asserts that a good measure of national reconciliation has already been achieved in Poland because of major political and economic reforms that the US has failed to acknowledge. Polish officials recently cited as examples of reform the deemphasis on central planning in the ongoing economic reform; the creation of a broad-based Socio-Economic Council to advise parliament; and the establishment of two new bodies, the Tribunal of State and Constitutional Tribunal, that can punish corrupt government officials and amend unconstitutional laws. The authorities also point to the 78.6 percent turnout of eligible voters for the October 1985 parliamentary election as decisive proof of their success in achieving reconciliation.

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#### Are the Poles Giving Anything of Value?

Warsaw's efforts at proving it is genuinely interested in reconciliation both at home and with the US are shopworn. Amnesties have become an annual event and the jails have quickly refilled in their wake. Indeed, the recent release of Bujak and other well known activists is a spectacular gesture but one that does not entail great risk for the regime or significantly improve chances for national reconciliation.

- o In addition to not releasing all the prisoners, the Interior Minister in his amnesty announcement almost guaranteed that political prisoners would continue to be rounded up.

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- o The authorities themselves undercut the significance of their gesture by a long-standing campaign of denegrating the strength and importance of the underground. The Interior Minister told the press that the government decided to release the most important prisoners because the activities of the underground had lost popular support and were "nonsensical."

While Polish society has by no means made its peace with the regime, the greatly diminished response of the people to the underground's calls for protests and job actions illustrates the waning appeal and influence of the underground. [REDACTED]

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The Polish Episcopate officially welcomed the prisoner release and expressed the hope that conditions will be created for genuine national reconciliation. Pope John Paul II was satisfied as well and hoped the release would be the first step toward the solution of Poland's political and economic problems. Solidarity leaders and some of the newly-released dissidents were skeptical of the amnesty in their public remarks. An official Solidarity position on the amnesty, however, probably will be released only after Lech Walesa meets with his lieutenants. Walesa told reporters after the government's announcement that the amnesty was a positive step, but he was critical of the regime's continuing failure to negotiate with Solidarity and was confident that the jails would soon fill up. Privately, some Solidarity contacts of the US Embassy expressed moderate optimism that the amnesty would lead to genuine progress in solving Poland's domestic problems. [REDACTED]

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The regime has generally maintained a cynical attitude toward US concerns over political prisoners. For example, the capture of Bujak, and a concerted drive against the underground came two days after Poland won IMF membership--a victory that would have remained elusive had not the US ended its objections to Polish membership. Those former political prisoners who avoid rearrest and end their political activity continue to suffer harassment from the authorities long after their release, according to the US Embassy. At the same time, Warsaw may be prepared to use blackmail over the dissidents. Opposition [REDACTED] continue to fear, [REDACTED] that the regime, despite its public denials, still harbors the notion of staging a major show trial and will go ahead if there is no possibility of improving relations with the US. [REDACTED]

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Dialogue with the populace has long been hanging fire. Since early 1982, the regime has gone through the motions of creating or nurturing ostensibly independent representative bodies to give

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the appearance of non-party, popular participation in decisionmaking. A regime-backed group of intellectuals and laymen from various religions called "Consensus" was formed in 1985 but was quickly discredited when the Church denied government claims that the Episcopate had endorsed it. Mass organizations such as the Patriotic Movement for National Rebirth and the government-backed trade unions were "penetrated" by local party functionaries almost from the beginning, belying claims of their independence. Other organizations such as the local people's councils, touted as important venues for participatory democracy, have not been permitted to play a meaningful role. [redacted]

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We believe that Warsaw's claims that national reconciliation has been achieved because of political and economic reforms are greatly exaggerated. Polish officials, for example, readily admit the economic reform is encountering great problems as deeply entrenched bureaucrats resist efforts at decentralization. Most telling, however, are the results of public opinion polls recently published in the official press which indicate the average Pole has little confidence in the regime's ability to provide solutions to the country's enormous problems. [redacted]

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#### Opposition within the Leadership

There likely is a debate within the Polish leadership over the need for improved relations with the US and the concessions necessary to secure this improvement. [redacted]

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[redacted] Justice Minister Lech Domeracki told a Western interviewer recently that there were differing views within the Politburo over Bujak's release. Subsequent public [redacted] denials that the Politburo is split over the amnesty or that the amnesty is even connected to the issue of bilateral relations only reinforce suspicions of a debate. [redacted]

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We believe Jaruzelski can make his views prevail within the Politburo--especially since his major critics and opponents have been removed--and even in the more troublesome Central Committee. The new, streamlined Central Committee, unlike the Politburo, has not been cleansed completely of critics and some members probably object to what they see as coddling domestic opponents and caving in to the US. [redacted]

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Jaruzelski has been the target of open criticism in the Central Committee in the past for not taking more energetic steps to destroy the Solidarity underground. [redacted]

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#### The Soviets

Moscow undoubtedly is keeping an eye on Warsaw's American offensive. [redacted] 25X1  
Moscow has been pleased with Jaruzelski's "hardline" policy toward the US, particularly his refusal to make any political concessions in the interest of ending economic sanctions and improving relations. To Jaruzelski's advantage, Soviet General Secretary Gorbachev is [redacted] concerned 25X1  
about the poor state of the Polish economy and the country's continued reliance on Soviet assistance. [redacted] 25X1

Jaruzelski has probably persuaded the Kremlin--and those in the Polish Politburo and Central Committee who object to concessions at home and abroad--that Poland's economic crisis will not end without the Western credits that would presumably come as a result of improved ties with Washington. On the political side, he has likely argued that he is not going to give up anything that will endanger the country's fragile stability or the security of his regime, which has been bolstered by making into law many of the emergency measures of martial law (see appendix). [redacted] 25X1

#### Lobbying Washington

The regime has apparently tried to enlist the Polish-American community in its efforts to get relations with the US on track. [redacted] Polish Foreign 25X1  
Minister Marian Orzechowski told a group of Western visitors in late July that the US Government should not underestimate the strength of the Polish-American community. Regime charges in early June that the US Government had foreknowledge of the imposition of martial law but chose not to warn Solidarity, may have been largely intended to plant doubts in the minds of Polish-American and Solidarity leaders about the US Government's intentions toward Poland. [redacted] 25X1

#### The Church

The Church hierarchy advocates a restoration of normal US-Polish diplomatic relations because it believes sanctions have long outlived their usefulness and are now counterproductive. [redacted] 25X1

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[redacted] A senior cleric told US diplomats that additional conditions could not be fulfilled immediately, in his opinion, because the communist system simply does not work that rapidly. [redacted] 25X1



The Church has withheld its support from regime institutions because of past bad experiences and fear of the consequences of close political involvement with the regime. Cardinal Glemp, for example, created a lay advisory body during the Solidarity era that was meant to play a role similar to the one assigned to the advisory council currently under discussion. After the imposition of martial law, it presented to the government, with Glemp's endorsement, a series of proposals for emerging from the political and economic crisis. The regime, however, refused to discuss the Church's "social theses" and similarly rejected every other constructive proposal for national reconciliation it offered [redacted] Glemp consequently dissolved the body in December 1984. [redacted]

[redacted] At the same time, the Church has shied away from allowing clergymen to become directly involved in regime institutions such as parliament because it reportedly fears that participation would imply partial Church responsibility for Poland's basket case-economy and political stalemate. [redacted]

#### What's Next?

Jaruzelski will likely continue to try to have it both ways. He needs to normalize relations with the US and appeal for Western financial assistance because his Soviet and East European allies cannot be relied upon, over the long term, to bail Poland out of its economic crisis. At the same time, he is not prepared to offer a great deal to the US in return. Consequently, his regime will continue arguing that it is liberal in comparison to others in Eastern Europe and, given the amnesties and regular Church-state summit meetings, has little more to do to meet Washington's conditions. It will probably also continue threatening that poor relations will mean Poland will become more reliant economically on the Soviets--a threat that is not completely hollow given the increase in Polish-Soviet trade since 1982 and Poland's dependency on the Soviet Union for raw materials and energy. [redacted]

Jaruzelski probably will be prepared--albeit grudgingly--to make more concessions before giving up on improved ties. The Church has narrowed his options, however, by abandoning efforts to win government approval of the plan to aid private agriculture. Now Jaruzelski will likely be called upon to approve new projects the Church reports it has in the works. This will probably mean a prolonged approval process by the regime if the projects are national in scope like the agricultural fund. An alternative concession is to turn Father

Zych over to the custody of the Church without simultaneously releasing the murderers of Father Popieluszko. More ambitious Church proposals such as the legalization of groups and associations beyond Communist party control--something the Episcopate has publicly called for at its last two conferences--is less likely to be accepted by the regime because such groups could quickly grow into dangerous centers of opposition. On another front, the Poles may abandon the position that an exchange of ambassadors with the US should come after an improvement in relations and agree to accept an American candidate. [redacted]

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America's Western Allies will likely increase pressure on the US to normalize relations with Warsaw in the wake of the recently concluded amnesty. The Italians in particular probably will encourage at least constructive dialogue with Warsaw based on what they will claim is their own positive experience. According to diplomatic reporting, a Jaruzelski visit to Italy and the Vatican appears likely since the Poles have met a condition of the Craxi Government with the release of key political prisoners. [redacted]

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If the US moves to restore normal diplomatic relations with Poland, we would expect the Jaruzelski regime to make some effort to satisfy US concerns over the treatment of dissidents and former political prisoners and establishing a national dialogue. We doubt that the authorities would rearrest or harass opposition figures who are well known in the West, but they would continue to break up underground structures and selectively implement law and order measures to punish rank and file oppositionists. We believe Jaruzelski would also move quickly to establish his consultative council in the name of national reconciliation. He probably would quickly extend an official invitation to the Pope to visit Poland for a third time in June 1987. He might also permit the Pope to visit sensitive areas such as Gdansk and Lodz during his visit. [redacted]

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If the US does not move to restore normal diplomatic ties with Poland, or there is a dramatic downturn in US-Soviet relations over Moscow's arrest of US correspondent Nicholas Daniloff, we would anticipate a substantially hardened Polish attitude toward the US, as well as a major show trial of political dissidents. The last abortive effort by Warsaw to normalize relations in early 1984 and a positive response by the US in August to a political prisoner release, for example, was followed by a concerted anti-American campaign that included linking the US Embassy to espionage and a renewal of Polish claims for reparations for sanctions. [redacted]

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## Appendix

## Amended, New, and Pending Polish Legislation

The Polish government has used the period since the abolition of martial law in July 1983 to amend old laws and pass new restrictive legislation to limit dissent. Moreover, it has not been deterred by any domestic criticism. For example, Church protests over revision of the liberal education law in 1985 were brushed aside by the government. The regime has privately told its critics that the new harsh laws will not necessarily be broadly implemented, but that they are intended as a warning that the regime has the legal tools to use against troublemakers. The new restrictions have been used to conduct university purges, make preventive detentions before important anniversaries, and make widespread arrests of those involved in the illegal printing and dissemination of underground publications. [redacted]

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The brunt of the new legislation is aimed at dissidents. A special criminal liability law and changes to the penal code increase the power of judges to speed up the trial process, to impose sentences immediately--especially when the accused is caught in the act --and to waive trials without appeal for a greater number of offenses. Other changes include harsher jail terms, fines, confiscation of property, changes in the parole procedure, and travel restrictions. The government also utilizes preventive detentions of some opposition leaders before major holidays to limit demonstrations. General Baryla, the Politburo and Secretariat member in charge of security announced earlier this year that more law and order legislation is being prepared. [redacted]

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Amendments to the 1982 Higher Education Law provide for greater central government control over university activities. The Minister of Science and Higher Education is given authority to ensure teachers take a loyalty oath before employment, reassign troublesome instructors, and approve university election lists. Other changes allow rectors to call in police to stop protests--which are now grounds for expulsion--give the party's national student organization the exclusive right to represent students and require the revision of university charters to conform to a new model statute. In November 1985 the regime purged 70 university professors and is currently conducting a nationwide teacher verification program to be completed by the end of 1986. [redacted]

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There is also evidence that the regime is planning further legislation to tighten controls over the careers of university-trained professors. [REDACTED]

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[REDACTED] the regime is considering draft laws requiring one year of compulsory employment in the socialized sector for people exempt from military service. Moreover, graduates of vocational state-run schools or universities would be required to work in state-run enterprises or institutions for ten years or repay the government for their education. Returning emigres would be subject to the same law; students visiting the West would be required to leave a deposit with the government to ensure their return. The current job verification policy, according to the official press, is partly aimed at forcing teachers back to the schools and out of more lucrative positions in the economic sector. [REDACTED]

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New censorship and press laws further centralize control of the media, especially print journalism. Licenses are required for use of all printing, recording, and film operations. Copiers, stamps, and seals must be registered and use permits are required. The 1982 law on dissemination of false information causing grave damage to Poland carries a sentence of five years imprisonment and remains part of the new penal code. [REDACTED]

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Amendments to the Trade Union Act in July 1985 eliminate the possibility of union pluralism. The new law circumvents the power of worker self-management councils by requiring that the councils reach agreement on labor issues with the regime-approved unions. The unions can now stymie any council initiatives. In addition, the unions are empowered to allocate housing, health, and vacation benefits. Former Solidarity members have had strong representation on some self-management councils. [REDACTED]

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Parliament is currently considering amendments to the Labor Code which will further weaken workers rights. The proposed changes, according to the US Embassy, require workers to wait longer than six months before changing jobs, ban normal pay raises for those who quit previous jobs or were fired, and maintain the regulation that those who leave jobs without permission can be paid the lower permissible wage rate in a new position. The Council of Ministers has also approved an increase in the work week at the discretion of management from 42 to 46 hours. Passage of the Labor Code has been delayed until December. Further revisions may be in the offing. The temporary requirement that job applicants must present a labor certificate from a previous employer may be permanently codified in law. Work "shirkers" still face the possibility of imprisonment, but this law has not been widely implemented, according to Embassy reporting. [REDACTED]

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